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UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	CRIMINAL NO.
)	
v.)	(Judge)
)	
DONALD F. KENIA,)	
)	
DEFENDANT)	

INFORMATION

Count I

THE UNITED STATES ATTORNEY CHARGES:

On or about the dates listed below, in the Middle District of Pennsylvania and elsewhere, in a matter within the jurisdiction of the Securities and Exchange Commission, an agency of the United States, the defendant

DONALD F. KENIA

knowingly and willfully made and used and caused to be made and used a false writing and document knowing the same to contain a false, fictitious and fraudulent material statement and entry, in that the defendant, who was the controller of The Leslie Fay Companies, Inc. made or directed the making of unsupported

adjustments to The Leslie Fay Companies, Inc. financial statements which the defendant knew would cause The Leslie Fay Companies, Inc. to file Forms 10-K with the Securities and Exchange Commission for fiscal years 1990 and 1991 which falsely, materially and substantially inflated the earnings of The Leslie Fay Companies, Inc. for those fiscal years when in fact the defendant well knew and believed that the earnings of The Leslie Fay Companies, Inc. were substantially less than that reported on the Forms 10-K, as detailed below:

<u>Fiscal Year</u>	<u>Date Form 10-K Filed With SEC</u>	<u>Earnings Originally Reported</u>	<u>Restated Net (Loss) Income</u>
1990	March 28, 1991	\$29,078,000	\$20,091,000
1991	March 27, 1992	\$29,392,000	\$ 8,826,000

In violation of Title 18, United States Code, Sections 1001 and 2.

Count II

THE UNITED STATES ATTORNEY FURTHER CHARGES:

On or about the dates listed below, in the Middle District of Pennsylvania and elsewhere, in a matter within the jurisdiction of the Securities and Exchange Commission, an agency of the United States, the defendant

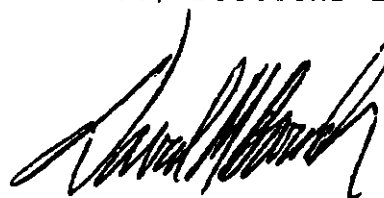
DONALD F. KENIA

knowingly and willfully made and used and caused to be made and used a false writing and document knowing the same to contain a

false, fictitious and fraudulent material statement and entry, in that the defendant, who was the controller of The Leslie Fay Companies, Inc. made or directed the making of unsupported adjustments to The Leslie Fay Companies, Inc. financial statements which the defendant knew would cause The Leslie Fay Companies, Inc. to file three Forms 10-Q with the Securities and Exchange Commission during fiscal year 1992 which falsely, materially and substantially inflated the earnings of The Leslie Fay Companies, Inc. during fiscal year 1992, when in fact the defendant well knew and believed that the earnings of The Leslie Fay Companies, Inc. were substantially less than that reported on the Forms 10-Q as detailed below:

<u>Fiscal Year</u> <u>1992</u>	<u>Date Form 10-Q</u> <u>Filed With SEC</u>	<u>Earnings</u> <u>Originally</u> <u>Reported</u>	<u>Restated Net</u> <u>(Loss) Income</u>
First Quarter	May 12, 1992	\$10,727,000	
Second Quarter	August 11, 1992	\$12,363,000	
Third Quarter	November 17, 1992	\$23,715,000	(\$65,601,000) (Includes fourth quarter losses.)

In violation of Title 18, United States Code, Sections 1001 and 2.



DAVID M. BARASCH
United States Attorney